

**From:** Francis Gallagher, Jr  
**To:** Ashcroft John  
**Date:** 1/25/02 1:22pm  
**Subject:** Microsoft Case

Francis Gallagher

504 Truman Court

Norristown, PA 19403

January 15, 2002

Attorney General John Ashcroft

US Department of Justice, 950 Pennsylvania Avenue, NW

Washington, DC 20530-0001

Dear Mr. Ashcroft:

I have been following the Microsoft antitrust case for a while now, and I have become concerned of late that the settlement reached last November will not stand. Nine plaintiff states are currently seeking to overturn the agreement and reopen the Microsoft case. This is foolishly unnecessary. I do not believe the settlement reached is unfair, nor do I believe that Microsoft and the Justice Department should be forced back into a time-consuming, expensive court battle when a perfectly reasonable settlement has already been reached. The Department of Justice has, I believe, done an exemplary job in satisfying the demands of antitrust legislation and formulating terms of agreement that are beneficial both to Microsoft and its competitors. Such a difficult task should not have to be repeated unnecessarily.

Microsoft has agreed to a broad range of obligations in the settlement, all of which allow its competitors access to the Windows operating system and protect them from retaliation on the part of Microsoft. For example, Microsoft has agreed to provide third parties acting under the terms of the agreement with a license to applicable intellectual property rights. Microsoft has also agreed to license the Windows operating system and all its products to twenty of the largest computer makers. I do not believe any more needs to be required of Microsoft, nor do I believe that competing software makers have been left holding the short end of the stick. Everyone can benefit from this agreement, and this is why I cannot support those who feel that the settlement needs to be overturned and further modifications made.

Sir, the settlement reached prevents Microsoft from further violations of antitrust laws. I see no reason to take additional action on the federal level. I urge you and your office to allow business to return to normal and to let November's settlement carry through.

cc: Senator Rick Santorum

Sincerely,

Francis Gallagher